

STATE OF ALABAMA 0

LAUDERDALE COUNTY 0

PROTECTIVE COVENANTS

The undersigned Lindon C. Gautney and wife, Mary Frances Gautney, being the owners of all of the property embraced in that subdivision shown on the map and plat prepared by William A. White, Surveyor, known and designated as CEDAR LANE SUB'D, situated in Lauderdale County, Alabama, said plat recorded in the Office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book 3 at Page 160, hereby impose on all the lots provided in said plat of the above described subdivision the following covenants and building restrictions, to-wit:

1. All lots in the subdivision are for single-family residential use only, except that Lots 19 and 20 may be used for commercial purposes, and no more than one residence may be placed on any one lot, except as to Lot 19.
2. No noxious or offensive trade or activity shall be carried on upon any lot, nor shall anything be done which may be or become an annoyance or nuisance to the neighborhood.
3. No trailer, basement, tent, shack, garage, barn or other out-building erected on any lot shall be used at any time for a residence, temporarily or permanently, nor shall any structure of a temporary character be used as a residence.
4. Perpetual easements are reserved for utility installation and maintenance as shown on the recorded plat.
5. BUILDING LOCATIONS: No building shall be located nearer than 10 feet to an interior lot line, except that a minimum 5-foot side yard

shall be required for a garage or any accessory building so long as said garage or accessory building is located on the rear half of a lot.

6. No building shall be permitted on any lot at a cost of less than \$8,000.00, based upon cost levels prevailing on the date these covenants are recorded, it being the intention and purpose of this covenant to assure that all buildings shall be of a quality of workmanship and materials substantially the same or better than that which can be produced on the date these covenants are recorded, at the minimum cost stated herein for the minimum permitted dwelling site. The ground floor area of the main structure, exclusive of one-story, open porches and garages, shall be not less than 1,000 square feet for a one-story dwelling, nor less than 850 square feet for a dwelling of more than one story.

7. No house shall be constructed, the exterior covering of which is concrete or cinder block, asbestos siding, stucco, tar paper, or any substance not in keeping with a first-class residential area.

8. There shall be no junk yards, no car lots, nor place where equipment is spread over an outside area on any commercial lot.

9. No house shall be located nearer than 30 feet from the front lot line.

These covenants shall run with the land and shall be binding on all parties and all persons claiming under them until October 1, 1981. Thereafter, said covenants shall be automatically extended for successive periods of ten years each, unless, by vote of the majority of the then owners of the lots contained in said subdivision it is agreed to change said covenants in whole or in part.

If anyone owning property in said subdivision shall violate or

attempt to violate any of the covenants herein, it shall be lawful for any person or persons owning any real property situated in said subdivision to prosecute any proceedings at law or in equity against the persons violating or attempting to violate any covenants, for the purpose of preventing any violation hereof or to recover damages for such violation.

Invalidation of any one of these covenants by judgment or court order shall in nowise affect any of the other provisions which shall remain in full force and effect.

IN WITNESS WHEREOF, the undersigned owners have affixed their hands and seals, on this 16 day of June, 1961.

/s/ Lindon C. Gautney (SEAL)
Lindon C. Gautney

/s/ Mary Frances Gautney (SEAL)
Mary Frances Gautney

STATE OF ALABAMA 0

LAUDERDALE COUNTY 0

I, Arnold Teks, a Notary Public in and for the State and County aforesaid, do hereby certify that Lindon C. Gautney and wife, Mary Frances Gautney, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day that, being informed of the contents of this instrument, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal, this 16 day of June, 1961.

/s/ Arnold Teks
Notary Public

Filed, June 17, 1961

Recorded, Book 731, Pages 570-572

STATE OF ALABAMA X
 COUNTY OF LAUDERDALE X

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AMENDMENTS AND MODIFICATION OF PROTECTIVE COVENANTS

KNOW ALL MEN BY THESE PRESENTS, That the undersigned, being all of the owners of that certain subdivision located in Lauderdale County, Alabama, known as CEDAR LANE SUBDIVISION, according to the map and plat thereof recorded in the Office of the Judge of Probate of Lauderdale County, Alabama, in Plat Book 3, at page 160, hereby amend the protective covenants pertaining to said subdivision, said covenants having been recorded in the office of the Judge of Probate of Lauderdale County, Alabama in Book 731, at pages 570-572, by striking Paragraph 5 entitled "Building Locations", and substituting in lieu thereof the following, to-wit:

(5) BUILDING LOCATIONS:

No building shall be located nearer than 10 feet to an interior lot line unless one owner owns more than one lot and elects to build a dwelling which structure shall be erected on more than one lot and in that event no building shall be located nearer than 10 feet to an interior property line of said owner, except that a minimum 5 feet side yard shall be required for a garage or any accessory building so long as said garage or accessory building is located on the rear half of a lot.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed their seals on this the 8th day of August, 1972.

Lindan C. Bantner (SEAL)

Mary F. Bantner (SEAL)

O. L. Butler (SEAL)

Johnny J. Butler (SEAL)

Glenn M. Hanson (SEAL)

Betty J. Hanson (SEAL)

Ralph E. Jackson (SEAL)

Mrs. Ralph E. Jackson (SEAL)

Reece Higginbotham (SEAL)

Sherley Higginbotham (SEAL)

A. B. Willis (SEAL)

Phyllis Willis (SEAL)

Novella Brockins (SEAL)

Harold Walton (SEAL)

Barbara Walton (SEAL)

K. W. Hamme (SEAL)

Mary Hamme (SEAL)

Lucian Peck (SEAL)

Mrs Lucian Peck (SEAL)

John C. Tidwell (SEAL)

Sandra K. Tidwell (SEAL)

Milton Mitchell (SEAL)

Babaye Mitchell (SEAL)

Archie E. Barnett (SEAL)

Vickie L. Barnett (SEAL)

Kenneth W. Richardson (SEAL)

Janice M. Richardson (SEAL)

James B. Collins (SEAL)

Velma S. Collins (SEAL)

Ronald Pettus (SEAL)

Brenda Pettus (SEAL)

Lucas Higgins (SEAL)

Louisa Thompson (SEAL)

Compliments of Alabama Land Services, Inc.

Mrs. Linda Young (SEAL)
Roy Owen Young (SEAL)
Edward E. Looney (SEAL)
Patricia A. Looney et (SEAL)
Justin D. Allen (SEAL)
Mrs. Justin D. Allen (SEAL)
____ (SEAL)
____ (SEAL)

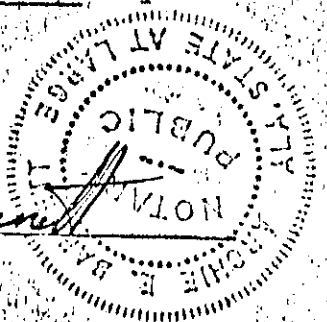
STATE OF ALABAMA X
COUNTY OF LAUDERDALE X

I, the undersigned authority, a Notary Public in and for said County and said State, hereby certify that Lindon C. Gautney, Mary F. Gautney, O. L. Butler, Johnnie J. Butler, Glenn M. Hanson, Betty J. Hanson, Ralph E. Jackson, Mrs. Ralph E. Jackson, Reece Higginbotham, Shirly Higginbotham, A. B. Willis, Phyllis Willis, Novella Brackin, Harold Walton, Barbara Walton, Roger Hamner, Mary Hamner, Lucian Peck, Mrs. Lucian Peck, Glenn R. Tidwell, Sandra K. Tidwell, Milton Mitchell, Bobby Mitchell, Archie E. Barnett, Vickie L. Barnett, Kenneth W. Richardson, Janice M. Richardson, James R. Collins, Velma S. Collins, Ronald Pettus, Brenda Pettus, Lorene Thigpen, Louis Thigpen, Mrs. Linda Young, Roy Owen Young, Edward E. Looney, Patricia A. Looney, Justin D. Allen, Mrs. Justin D. Allen

whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, they executed the same voluntarily on the day same bears date.

Given under my hand and official seal this the 8th day of August, 1972.

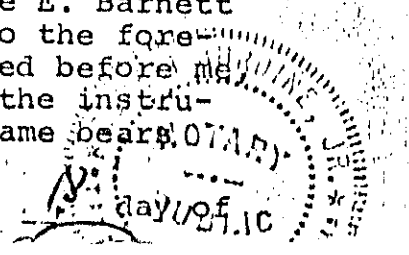
Archie E. Barnett
Notary Public



STATE OF ALABAMA X
COUNTY OF LAUDERDALE X

I, the undersigned authority, a Notary Public in and for said County and said State, hereby certify that Archie E. Barnett and wife, Vickie L. Barnett, whose names are signed to the foregoing instrument, and who are known to me, acknowledged before me on this day, that, being informed of the contents of the instrument, they executed the same voluntarily on the day same bears date.

Given under my hand and official seal this the 1st day of August, 1972.



This instrument was prepared by _____, Jr. _____ at
Law, Florence, Alabama

STATE OF ALABAMA §
COUNTY OF LAUDERDALE §

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CONSENT OF MORTGAGEES TO AMENDMENT AND MODIFICATION
OF PROTECTIVE COVENANTS

The undersigned, being all of the mortgagees of that certain subdivision located in Lauderdale County, Alabama known as Cedar Lane Subdivision, according to the map and plat thereof recorded in the office of the Judge of Probate of Lauderdale County, Alabama in Plat Book 3, at page 160, hereby consent to the amendment of the protective covenants pertaining to said subdivision, said covenants having been recorded in the office of the Judge of Probate of Lauderdale County, Alabama in Book 731, at pages 570-572, by striking Paragraph 5 entitled "Building Locations" and substituting in lieu thereof the following, to-wit:

(5) BUILDING LOCATIONS:

No building shall be located nearer than 10 feet to an interior lot line unless one owner owns more than one lot and elects to build a dwelling which structure shall be erected on more than one lot and in that event no building shall be located nearer than 10 feet to an interior property line of said owner, except that a minimum 5 feet side yard shall be required for a garage or any accessory building so long as said garage or accessory building is located on the rear half of a lot.

IN WITNESS WHEREOF, the undersigned have hereunto set their hands and affixed their seals on this the 13 day of September, 1972.

EAST LAUDERDALE BANKING COMPANY

By Milton Mitchell
Its President

SHEFFIELD FEDERAL SAVINGS & LOAN
ASSOCIATION

By George W. Anderson
Its President

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UNITED STATES OF AMERICA, acting by
& through Farmers Home Administration

By Jerry A. Hester

FIRST FEDERAL SAVINGS & LOAN ASSOCIATION OF FLORENCE

By [Signature]
Its [Signature]

SECURITY FEDERAL SAVINGS & LOAN ASSOCIATION OF FLORENCE

By [Signature]
Its [Signature]

STATE NATIONAL BANK OF ALABAMA

By [Signature]
Its S.V.P.

SAVINGS/FUND SOCIETY OF GERMANTOWN AND ITS VICINITY

By [Signature]
Its [Signature]

REDSTONE FEDERAL CREDIT UNION

By [Signature]
Its Asst Treasurer

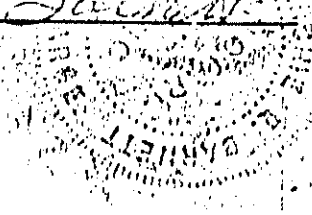
[Signature]
George L. McPeters
[Signature]
Edna L. McPeters

STATE OF ALABAMA
COUNTY OF LAUDERDALE

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that Nilton Mitchell whose name as Vice President of East Lauderdale Banking Company is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 15 day of September, 1972.

[Signature]
Notary Public




STATE OF ALABAMA
COUNTY OF COLBERT

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that George W. Matthews whose name as President of Sheffield Federal Savings & Loan Association, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 14 day of September, 1972.

Archie E. Barrett
Notary Public

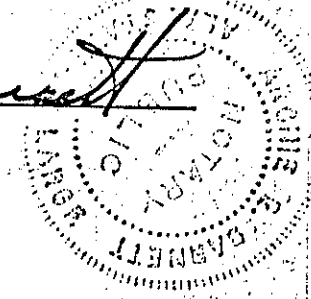


STATE OF ALABAMA
COUNTY OF Lauderdale

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that Jerry H. Nester whose name as County Supervisor of United States of America, acting by and through Farmers Home Administration, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 14 day of September, 1972.

Archie E. Barrett
Notary Public




STATE OF ALABAMA
COUNTY OF LAUDERDALE

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that Spencer B. Ward whose name as Treasurer of First Federal Savings and Loan Association of Florence, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 13 day of September, 1972.

Robert Bond
Notary Public

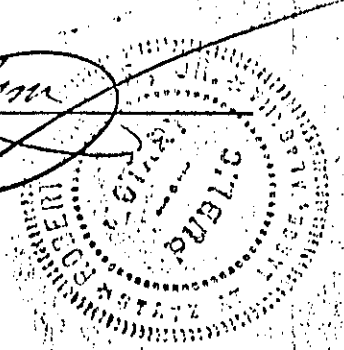


STATE OF ALABAMA
COUNTY OF LAUDERDALE

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that W. R. Cunningham whose name as Sec. President of Security Federal Savings & Loan Association of Florence, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 13 day of September, 1972.

Robert Bradley
Notary Public

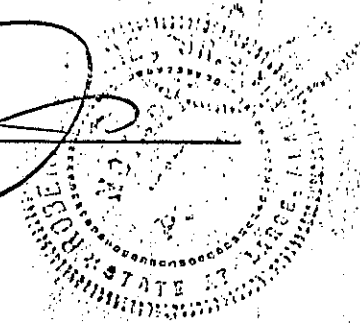


STATE OF ALABAMA
COUNTY OF LAUDERDALE

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that R. L. Adams whose name as Senior Vice President of State National Bank of Alabama, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 13 day of September, 1972.

Robert Bradley
Notary Public

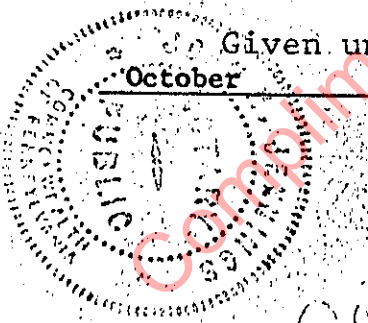


STATE OF Pennsylvania
COUNTY OF Philadelphia

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that William M. Knorr whose name as Vice President of Savings Fund Society of Germantown and its Vicinity, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 18th day of October, 1972.

Joan M. Jennings
Notary Public
JOAN M. JENNINGS
Notary Public, Philadelphia, Philadelphia Co.
My Commission Expires March 20, 1976

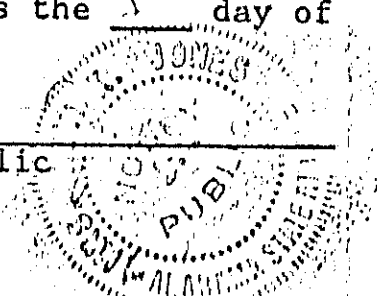


STATE OF Alabama
COUNTY OF Madison

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that James D. Daliber whose name as President of Redstone Federal Credit Union, is signed to the foregoing conveyance, and who is known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, he as such officer and with full authority, executed the same voluntarily for and as the act of said corporation.

Given under my hand and official seal this the 1 day of November, 1972.

James D. Daliber
Notary Public



STATE OF ALABAMA
COUNTY OF LAUDERDALE

I, the undersigned, a Notary Public in and for said County and said State, hereby certify that George L. McPeters and wife, Edna L. McPeters, whose names are signed to the foregoing conveyance, and who are known to me, acknowledged before me on this day that, being informed of the contents of the conveyance, they executed the same voluntarily on the day the same bears date.

Given under my hand and official seal this the 13th day of September, 1972.

Archie E. Bassett
Notary Public



Filed: November 3, 1972.

Recorded: Book 1051, Pages 247-51.

Compliments of Alabama Land Services, Inc.

STATE OF ALABAMA, LAUDERDALE COUNTY

I hereby certify that the foregoing instrument was filed in my office for record on Nov 3, 1972 at 12:10 o'clock P. M. and duly recorded in Vol 1051 Page 247-51. I hereby certify that the Mortgage Tax in amount of \$ - and the Deed Tax amount of \$ - have been paid on this instrument.

J. Williams
VOL 1051 PAGE 251

This instrument was prepared by Robert Burdine, Jr., Attorney at Law, Florence, Alabama.

STATE OF ALABAMA X
COUNTY OF LAUDERDALE X

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A F F I D A V I T

Personally appeared Marshall Smith, before the undersigned authority, a Notary Public in and for said County in said State, who first being duly and legally sworn, deposes and says as follows, to-wit:

My name is Marshall Smith, I am an abstractor of titles in Lauderdale County, Alabama and I am over the age of 21 years.

I hereby certify that I have made an examination of the records as to Cedar Lane Subdivision, a subdivision in Lauderdale County, Alabama, recorded in the Office of the Judge of Probate of said County in Plat Book 3, at page 160.

I hereby certify that the following persons are the record title holders/and mortgagees of all the lots in said subdivision as of the date of this affidavit:

Lindon C. Gautney & wife, Mary F. Gautney; Glenn Hanson & wife, Betty Jean Hanson; James R. Collins & wife, Velma Sue Collins;
Lucian R. Peck & wife, Verta Mae Peck; L. T. Thigpen & wife, Lorene Thigpen; Justin Donald Allen & wife, Carolyn Ezella Allen; Glenn R. Tidwell & wife, Sandra Kay Tidwell; Charles Milton Mitchell & wife, Bobbye C. Mitchell; Roy Owen Young & wife, Linda Louise Young; Archie E. Barnett & wife, Vickie L. Barnett; Ralph E. Jackson & wife, Dovie Leigh Jackson; Issac R. Higginbotham & wife, Shirley T. Higginbotham; Albert Boon Willis & wife, Phyllis G. Willis; Kenneth Wayne Richardson & wife, Janice W. Richardson; Roger Hamner & wife, Mary Ann Hamner; O. Lee Butler & wife, Johnnie Mae Butler; Ronald Q. Pettus & wife, Brenda Joyce Pettus; James Harold Walton & wife, Barbara S. Walton; Novella H. Brackin, a single woman; Edward E. Looney & wife, Patricia A. Looney
East Lauderdale Banking Company; Sheffield Federal Savings & Loan Association; United States of America (Farmers Home Administration); First Federal Savings & Loan Association of Florence; Security Federal Savings & Loan Association of Florence; George L. McPeters & wife, Edna L. McPeters; State National Bank of Alabama; Savings Fund Society of Germantown & its Vicinity; Redstone Federal Credit Union.

Dated this the 23 day of AUGUST, 1972.

Marshall Smith
Marshall Smith

Sworn to and subscribed before me on this the 13 day of September, 1972.

Filed: Nov. 13, 1972.
Recorded: Book 1051, Page 243.

Robert Burdine
Notary Public